

EXHIBIT L



The University of Vermont

November 18, 2019

Kendall Ware

Sent electronically to Kendall.Ware@uvm.edu

PERSONAL AND CONFIDENTIAL

Dear Kendall,

I have enclosed a proposed Informal Resolution Agreement, prepared with the assistance of facilitator Peter Lim. Please review the document carefully and let me know if you have any questions. If the terms are acceptable to you, please sign and return the document by Monday, November 25, 2019. If you would like a paper copy, you are welcome to stop by AAEO and we can print one for your review (advance notice would be preferred so that I can have the document ready). As always, please let us know if you have any questions or concerns related to support services.

I am also happy to meet with you, potentially with other UVM staff, to discuss this process and to learn more about your experience, as you have briefly discussed with Peter Lim. If you would like, I can schedule a time to meet in the near future. Your feedback is important and I am appreciative of the time and energy that you have put into the AAEO process.

Best wishes,

Nick Stanton

Director, Affirmative Action and Equal Opportunity



Office of Affirmative Action and Equal Opportunity (AAEO)

November 18, 2019

Office of Affirmative Action and Equal Opportunity
428 Waterman, 85 South Prospect Street
University of Vermont
Burlington, VT 05405

Re: Informal Resolution Agreement

Dear Kendall:

On October 15, 2019, the University of Vermont (UVM) Office of Affirmative Action and Equal Opportunity (AAEO) received information from you that the Respondent, [REDACTED], engaged in conduct which, if true, would violate UVM Policy 7.11.2: *Sexual Harassment and Misconduct* ("Policy 7.11.2" or "the Policy"). You indicated that you would be interested in pursuing an informal resolution of this matter, should the Title IX Coordinator believe the circumstances warranted it.

On October 21, 2019, AAEO issued a Notice of Investigation letter to [REDACTED], based on the alleged conduct reported. The letter informed [REDACTED] that the option to informally resolve this matter was available, noting that informal resolution is a voluntary process where AAEO would facilitate a non-disciplinary agreement between the parties. The letter explained that if either you or [REDACTED] did not wish to pursue an informal resolution, or if the informal process did not result in an agreed-upon resolution, then AAEO could commence a formal investigation into whether [REDACTED] violated Policy 7.11.2. The letter addressed to [REDACTED] also included the following No Contact Order:

No Contact Order:

The University believes that it is in the best interest of all parties involved in complaints of Sexual Misconduct to refrain from interacting with each other while the complaint is investigated. Therefore, as a standard practice, we direct and require the parties involved in allegations of sexual misconduct to have no contact with each other until the complaint has been fully investigated and adjudicated.

Effective immediately and until further notice, you are required to have no contact with Kendall Ware.

This No Contact Order means that you may not intentionally contact the above person, and the above person may not intentionally contact you, by any means (verbal, electronic, physical, or telephone). It also means that neither party may



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initiate contact with the other through a third party; i.e. you may not ask a friend to communicate with the other parties on your behalf. The No Contact Order does not apply to incidental contact, such as may occur when one party inadvertently encounters the other in the library, classroom, a dining hall, or hallway. However, if such incidental contact occurs, it is the University's expectation that you not engage with the other party.

Please be advised that the University may, in its discretion, extend the No Contact Order beyond the investigation period, and will notify you in writing if it elects to do so. University Police Services and other appropriate institutional officials with a need to know will be notified of this requirement. Any violations of the No Contact Order should be reported directly to University Police Services at (802) 656-3473. If the University determines that the No Contact Order was violated, further action will be considered to preserve the safety of individuals and the community. This No Contact Order also does not apply to communication prompted by the University as part of this informal resolution process (such as meetings with UVM staff).

On November 4, 2019, you and your advisor met with Peter Lim, a facilitator retained by AAEO. During the meeting, you and Mr. Lim discussed potential ways to reach an informal resolution, and whether this outcome was an appropriate way to resolve the concerns that were raised. After discussing your options for formal resolution, you expressed a desire to proceed by way of informal resolution. You also provided suggestions on how [REDACTED] could: (1) express remorse for the behaviors you alleged against him; (2) ensure that he would continue to have no contact with you; and (3) participate in an educational program at the University's Counseling and Psychiatry Services ("CAPS"). The input you provided during this process is appreciated. The final terms of the informal resolution appear below.

1. You and [REDACTED] must continue to refrain, at all times, from any direct or third-party contact with each other, as described in the mutual No Contact Order issued on October 21, 2019, while enrolled at UVM.
2. Neither you or [REDACTED] will post any disparaging information about the other party on the internet or ask anyone else to do so. To the extent possible, any such information that is currently posted on accounts you own or operate will be deleted.
3. You and [REDACTED] will continue to abide by any directive issued by UVM related to this matter. Currently, this means [REDACTED] will not enter the University's Student-Athlete Success Center before 5:30 p.m.; [REDACTED] will not enter the Athletic Performance Center before 2:00 p.m.; and [REDACTED] will only use the Athletic Training Room at the following times:
 - Mondays: 12:00 p.m. – 1:00 p.m., 2:30 – 3:30 p.m., and 6:00 – 6:45 p.m.



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- Tuesdays: 11:00 a.m. – 12:00 p.m.
- Wednesdays: 12:00 p.m. - 1:00 p.m., 2: 30 – 3:30 p.m., and 6:00 – 6:45 p.m.
- Thursdays: 10:30 a.m. – 11:30 a.m.
- Fridays: 2:30 p.m. – 3:30 p.m. and 6:00 p.m. – 6:45 p.m.

Please be reminded that UVM may adjust the directive if needed and will notify you and [REDACTED] in advance.

4. [REDACTED] will complete a healthy masculine identity development program offered or approved by the University's Counseling and Psychiatry Services on or before May 1, 2020. [REDACTED] shall contact Keith Smith, Men's Outreach Coordinator at CAPS, before December 6, 2019, to initiate the process of identifying an appropriate program to be completed. Mr. Smith can be reached at keith.smith@uvm.edu.
5. [REDACTED] will meet with Keith Smith as he directs, which may include six to eight sessions. The final decision about the scheduling of the sessions will be left to Keith Smith.
6. [REDACTED] will continue to meet with [REDACTED] for the remainder of the 2019-20 academic year.
7. [REDACTED] agrees not to attend the 2020 Rally Awards scheduled on May 5, 2020, at the Flynn Theatre in downtown Burlington.
8. [REDACTED] agrees not to participate on the Student-Athlete Advisory Council ("SAAC") for the remainder of the 2019-20 academic year. [REDACTED] also agrees not to participate in any events or competitions sponsored by or affiliated with SAAC, including the 2020 Rally Cup Challenge.
9. [REDACTED] will be presented with an impact statement from you. After hearing your impact statement, [REDACTED] will have ten business days to prepare a response for you.
10. If [REDACTED] satisfies the terms above, he will promptly notify AAEO. If [REDACTED] satisfies the terms above, AAEO will close the case without making any finding as to whether he violated UVM Policy in connection with the allegations outlined in the Notice of Investigation letter.
11. In the event that [REDACTED] is unable to complete the meetings with Keith Smith by May 1, 2020, he will promptly notify AAEO.
12. If [REDACTED] does not successfully complete the meetings with Keith Smith by May 1,



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2020, AAEO may, in its sole discretion and for good cause, extend the deadline for completion of the meetings. In the alternative, AAEO may re-open the investigation of conduct alleged and issue a Report of Investigation (Report). The Report will be processed in accordance with the terms of Policy 7.11.2 and University Operating Procedures. In either event, AAEO shall provide you and [REDACTED] with notice.

13. AAEO may also initiate a separate case if [REDACTED] is alleged to have engaged in any other conduct, not already alleged as of this date (as contained in the Notice of Investigation letter), that would violate the Policy if proven true.

AAEO may, in its sole discretion and for good cause, revise the terms of this agreement with the consent of the parties to this matter. The signing of this Agreement by you and [REDACTED] will constitute a full and final resolution of issues raised in the complaint filed with AAEO on October 15, 2019, and the matter will be considered closed. If [REDACTED] fails to comply with the terms of this informal resolution, AAEO may re-open the investigation, which could result in disciplinary action.

Sincerely,

Nick Stanton
Director, Affirmative Action and Equal Opportunity

My signature indicates that I agree to abide by the terms outlined above and that my failure to do so may result in disciplinary action. Further, I understand that AAEO is prepared to move forward as outlined by University policy if I do not agree to accept the terms outlined above.

Agreed to and Accepted:

Kendall Ware
Kendall Ware

11/19/19
Date